

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #
DATE FILED: 10/19/2021

UNITED STATES OF AMERICA

- v. -

DAVID R. PIKE,

Defendant.

CONSENT PRELIMINARY ORDER
OF FORFEITURE/
MONEY JUDGMENT

S11 17 Cr. 630 (ER)

WHEREAS, on or about February 6, 2020, DAVID R. PIKE (the "Defendant") was charged in a one-count Superseding Information, S11 17 Cr. 630 (ER) (the "Information"), with conspiracy to commit bank fraud, in violation of Title 18, United States Code, Section 1344 (Count One);

WHEREAS, the Information included a forfeiture allegation as to Count One, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), of any and all property constituting, or derived from, proceeds obtained directly or indirectly, as a result of the commission of the offense charged in Count One of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Information;

WHEREAS, on or about October 19, 2021, the Defendant pled guilty to Count One of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Information and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, a sum of money equal to \$2,099,330.00 in United States

CL

currency, representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Information;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$2,099,330.00 in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count One; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count One that the Defendant personally obtained cannot be located upon the exercise of due diligence;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Audrey Strauss, United States Attorney, Assistant United States Attorney Nicholas Folly, and the Defendant, and his counsel, Marty Raskin, Esq. and Jane Raskin, Esq., that:

1. As a result of the offense charged in Count One of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$2,099,330.00 in United States currency (the "Money Judgment"), shall be entered against the Defendant.
2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, DAVID R. PIKE, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.
3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn:



Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

6. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.


7. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Co-Chief, Money Laundering & Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, NY 10007.




8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.


AGREED AND CONSENTED TO:

AUDREY STRAUSS
United States Attorney for the
Southern District of New York


By:  10-13-21
Nicholas Folly
Assistant United States Attorney
One Saint Andrews Plaza
New York, NY 10007
(212) 637-1060
DATE

DAVID R. PIKE

By:  8-19-21
DAVID R. PIKE
DATE

By:  8-19-21
Marty Raskin/Jane Raskin, Esq.
Suntrust Plaza
201 Alhambra Circle
Suite 1050
Coral Gables, FL 33134
Attorneys for DAVID R. PIKE
DATE

SO ORDERED:

 10/19/2021
HONORABLE EDGARDO RAMOS
UNITED STATES DISTRICT JUDGE
DATE